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Arrowood Indemnity Company (f/k/a/ Royal Indemnity Company  
as successor-in-interest to Royal Insurance Company of America)

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA - OAKLAND DIVISION**

AIU INSURANCE COMPANY, a New York  
corporation,

Plaintiff

v.

ACCEPTANCE INSURANCE COMPANY, a  
Delaware corporation, TIG SPECIALTY  
INSURANCE COMPANY, a California  
corporation, ARROWOOD INDEMNITY  
COMPANY (f/k/a ROYAL INDEMNITY  
COMPANY AS SUCCESSOR-IN-INTEREST  
TO ROYAL INSURANCE COMPANY OF  
AMERICA) a Delaware corporation,  
AMERICAN SAFETY RISK RETENTION  
GROUP, INC., a Vermont corporation,  
AMERICAN SAFETY INDEMNITY  
COMPANY, a Oklahoma corporation, and  
DOES 1 through 10, inclusive,

Defendants.

**Case No.: C 07 5491 PJH**

Assigned for All Purposes to:  
Judge Phyllis J. Hamilton  
Courtroom 3, 3rd Floor

**[PROPOSED] ORDER RE DISMISSAL,  
WITHOUT PREJUDICE, OF AMERICAN  
SAFETY RISK RETENTION GROUP,  
INC. AND AMERICAN SAFETY  
INDEMNITY COMPANY FROM  
ARROWOOD INDEMNITY COMPANY'S  
CROSS-CLAIMS**

**[F.R.C.P. Rules 41(a) and 60(b)]**

[Filed concurrently with Stipulation of  
Dismissal, without Prejudice]

Complaint Filed: October 29, 2007  
Trial Date: None Set

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**[PROPOSED] ORDER**

Having fully considered the Stipulation of Dismissal, without Prejudice, between Defendants/Cross-Defendants American Safety Risk Retention Group, Inc. and American Safety Indemnity Company ("American Safety") and Defendant/Counterclaimant/Cross-Complainant Arrowood Indemnity Company (f/k/a/ Royal Indemnity Company as successor-in-interest to Royal Insurance Company of America) ("Arrowood"), and pursuant to Rules 41(a) and 60(b) of the Federal Rules of Civil Procedure, IT IS HEREBY ORDERED that:

1. The Stipulation dismissing, with prejudice, Arrowood's cross-claims in the above-captioned matter against American Safety is VACATED [Docket No. 147];


2. The Order dismissing, with prejudice, Arrowood's cross-claims in the above-captioned matter against American Safety is VACATED [Docket No. 148]; and

3. Arrowood's cross-claims against American Safety are dismissed in the above-captioned action, without prejudice, without American Safety and Arrowood waiving costs, and without American Safety waiving as to Arrowood any past, present or future liability or obligations, including all claims for equitable relief, under the commercial general liability policies Arrowood issued to Rylock Company, Ltd., which policies include, but are not limited to: (1) policy no. PTY441053 effective March 1, 1996 to March 1, 1997; (2) policy no. PTS443208 effective March 1, 1997 to March 1, 1998; (3) policy no. PTR457882 effective March 1, 1998 to March 1, 1999; and (4) policy no. PTR-457882009 effective March 1, 1999 to March 1, 2000.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: January 27, 2011

Honorable IT IS SO ORDERED Judge Phyllis J. Hamilton  
JUDGE OF THE UNITED STATES DISTRICT COURT  
COURT NO. 11-00000 DISTRICT OF CALIFORNIA - Oakland Division



OC#31112